

BEFORE
THE PUBLIC SERVICE COMMISSION OF
SOUTH CAROLINA
DOCKET NO. 2020-125-E - ORDER NO. 2020-797

DECEMBER 11, 2020

IN RE: Application of Dominion Energy South Carolina, Incorporated for Adjustment of Rates and Charges (*This filing includes a request for an increase to retail electric rates) (See Commission Order No. 2020-313))	ORDER DISMISSING
)	MOTION FOR
)	RECONSIDERATION AS
)	MOOT
)	

This matter comes before the Public Service Commission of South Carolina (“the Commission”) on the Motion for Reconsideration of Commission Order No. 2020-780 filed by Dominion Energy South Carolina, Incorporated (“DESC” or “the Utility”). For the reasons stated below, the Motion is dismissed as moot.

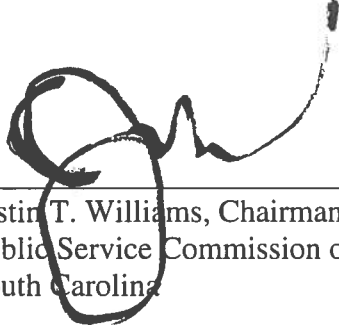
Commission Order No. 2020-780, issued by the Commission on November 18, 2020, ordered issuance of a Request for Proposal for a consultant on the issue of rate of return. DESC then filed its Motion for Reconsideration on November 25, 2020, alleging that in voting to issue the Request for Proposal, the Commission “may have inadvertently run afoul of other statutes applicable to the issue.” Further, the Utility argued that the Order is unnecessary in light of the fact that the companies, parties, and intervenors have provided ample expert testimony on the issue, which remains pending before the Commission. DESC also provided additional arguments. The introduction to Commission Order No. 2020-780 cited S.C. Code Ann. Section 58-3-60 as the basis for the issuance of the original Request for Proposal.

However, on December 2, 2020, the Commission issued Order No. 2020-789, which rescinded the Request for Proposal for the Consultant authorized by Order No. 2020-780. With the rescission of the original Request for Proposal, the matter complained about by DESC has been eliminated. Accordingly, the Motion for Reconsideration of Order No. 2020-780 is moot. A case becomes moot when judgment, if rendered, will have no practical effect on the existing controversy; mootness also arises when some event occurs making it impossible for the reviewing Court to grant effectual relief. See e.g. Sloan v. Greenville County, 361 S.C. 568, 606 S.E. 2d 464 (2004). In the present case, the Commission's rescission of the original Request for Proposal makes it impossible for the Commission to grant effectual relief to DESC's Motion for Reconsideration, given that the original Request for Proposal has been rescinded.

Accordingly, the Motion for Reconsideration of Commission Order No. 2020-780 is dismissed as moot. This Order shall remain in full force and effect until further Order of the Commission.

BY ORDER OF THE COMMISSION:




Justin T. Williams, Chairman
Public Service Commission of
South Carolina